

Exhibit "A"

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF NASSAU

Index No.:
Date Purchased:
SUMMONS

-----X
ALLISON VITULLI and VICTOR VITULLI,

Plaintiffs,

Plaintiff designates Nassau
County as the place of trial.

- against -

The basis of venue is:
Plaintiffs' residence

TARGET CORPORATION,

Defendant.

Plaintiffs reside at:
52 Commonwealth Street
Franklin Square, NY 11010

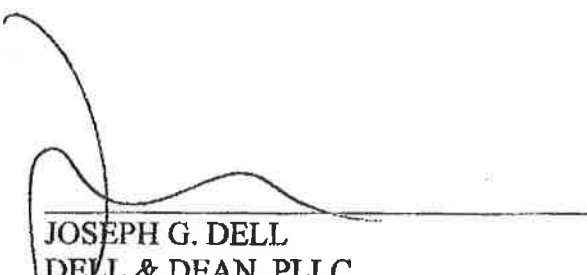
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County of NASSAU

To the abovenamed Defendant:

You are hereby summoned to answer the complaint in this action, and to serve a copy of your answer, or, if the complaint is not served with this summons, to serve a notice of appearance on the plaintiff's attorneys within twenty days after the service of this summons, exclusive of the day of service, where service is made by delivery upon you personally within the state, or, within 30 days after completion of service where service is made in any other manner. In case of your failure to appear or answer, judgment will be taken against you by default for the relief demanded in the complaint.

Dated: Garden City, New York

12-11-20



JOSEPH G. DELL
DELL & DEAN, PLLC
Attorneys for Plaintiffs
ALLISON VITULLI and
VICTOR VITULLI
1225 Franklin Avenue, Suite 450
Garden City, New York 11530
(516) 880-9700

TO: TARGET CORPORATION
1000 Nicollet Mall
Minneapolis, MN 55403

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF NASSAU

Index No.:
Date Purchased:

-----X
ALLISON VITULLI and VICTOR VITULLI,

VERIFIED COMPLAINT

Plaintiffs,

- against -

TARGET CORPORATION,

Defendant.
-----X

Plaintiffs, by their attorneys **DELL & DEAN, PLLC**, complaining of the Defendant,
respectfully allege, upon information and belief, as follows:

**AS AND FOR A FIRST CAUSE OF ACTION
ON BEHALF OF ALLISON VITULLI**

1. That at all times herein mentioned, Plaintiffs were, and still are, husband and wife and are residents of the County of Nassau, State of New York.
2. That at all times herein mentioned, the Defendant **TARGET CORPORATION** was and still is a domestic corporation, a foreign corporation or other legal entity duly organized and existing under and by virtue of the laws of the State of New York.
3. That at all times herein mentioned, the Defendant **TARGET CORPORATION** maintained a principal place of business in the County of Hennepin, State of Minnesota.

4. That on May 22, 2018, and at all times herein mentioned, the premises located at 999 Corporate Drive, Westbury, County of Nassau, State of New York was owned by Defendant **TARGET CORPORATION**

5. That at all times herein mentioned, the Defendant **TARGET CORPORATION**, through their agents, servants, employees, and/or assigns, owned, operated, managed, maintained, possessed, supervised, repaired, constructed, altered and controlled the premises, fixtures and appurtenances, located at 999 Corporate Drive, Westbury, County of Nassau, State of New York.

6. That on May 22, 2018, and at all times herein mentioned, the above-mentioned premises, fixtures and appurtenances, was owned, operated, managed, maintained, possessed, supervised, repaired, constructed, altered and controlled by Defendant **TARGET CORPORATION**.

7. That on May 22, 2018, and at all times herein mentioned, it was the duty of Defendant **TARGET CORPORATION** to own, operate, manage, maintain, repair, control, inspect, construct and supervise the premises, fixtures and appurtenances, located at 999 Corporate Drive, Westbury, in the County of Nassau, State of New York, in a reasonably safe condition.

8. That at all times herein mentioned, Defendant **TARGET CORPORATION** had a non-delegable duty to maintain the premises in a reasonably safe condition and free of dangers and hazards to those persons lawfully thereat, including Plaintiff **ALLISON VITULLI**.

9. That on May 22, 2018, Plaintiff **ALLISON VITULLI** was lawfully at the above-mentioned location.

10. That on May 22, 2018, while Plaintiff **ALLISON VITULLI** was lawfully at the aforesaid location, she was caused to sustain severe and permanent injuries.

11. The above mentioned occurrence, and the results thereof, was caused wholly and solely by the negligence and breach of duty of the Defendant **TARGET CORPORATION** and/or said Defendant's servants, agents, employees and/or licensees in the ownership, operation, management, maintenance and control of the aforesaid premises as follows: in the hiring, training and retention of incompetent personnel; in the failure to keep the aforementioned premises in a reasonably safe condition from hazards, nuisances, trap-like conditions and otherwise dangerous conditions; in failing to properly hire, train and retain personnel at the aforesaid premises; and the Defendant **TARGET CORPORATION** was otherwise negligent, careless and reckless.

12. The above mentioned occurrence, and the results thereof, were caused wholly and solely by the negligence and breach of duty of the Defendant **TARGET CORPORATION** and/or said Defendant's servants, agents, employees and/or licensees in the ownership, inspection, operation, management, maintenance and control of the aforesaid premises.

13. That no negligence on the part of the Plaintiff **ALLISON VITULLI** contributed to the occurrence alleged herein in any manner whatsoever.

14. That as a result of the foregoing, Plaintiff **ALLISON VITULLI** was caused to sustain serious injuries and to have suffered pain, shock, mental anguish; that these injuries and their effects will be permanent; and as a result of said injuries, Plaintiff **ALLISON VITULLI** has been caused to incur, and will continue to incur, expenses for medical care and attention; and, as a further result, Plaintiff **ALLISON VITULLI** was, and will continue to be, rendered unable to perform Plaintiff's normal activities and duties and has sustained a resultant loss therefrom.

15. By reason of the foregoing, Plaintiff **ALLISON VITULLI** has been damaged in an amount which exceeds the jurisdictional limits of all lower courts which would otherwise have jurisdiction herein.

**AS AND FOR A SECOND CAUSE OF ACTION
ON BEHALF OF VICTOR VITULLI**

16. Plaintiffs reallege, repeat and reiterate paragraphs "1" through "15" as though more fully set forth at length herein.

17. That at all times hereinafter mentioned, Plaintiff **VICTOR VITULLI** was the spouse of the Plaintiff **ALLISON VITULLI** and as such was entitled to the society, services and consortium of his spouse **ALLISON VITULLI**.

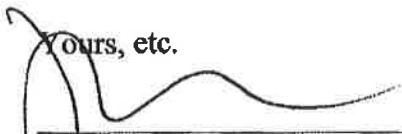
18. That by reason of the foregoing, Plaintiff **VICTOR VITULLI** was deprived of the society, services and consortium of the Plaintiff **ALLISON VITULLI** and shall forever be deprived of said society, services and consortium.

19. That by reason of the foregoing, Plaintiff **VICTOR VITULLI** was damaged in an amount which exceeds the jurisdictional limits of all lower courts which would otherwise have jurisdiction herein.

WHEREFORE, Plaintiffs **ALLISON VITULLI** and **VICTOR VITULLI** pray for judgment against the Defendant **TARGET CORPORATION** on behalf of the within Causes of Action in amounts which exceed the jurisdictional limits of all lower courts which would otherwise have jurisdiction herein, together with the costs and disbursements of this action.

Dated: Garden City, New York

12-11-20

 Yours, etc.

JOSEPH G. DELL
DELL & DEAN, PLLC
Attorneys for Plaintiff
ALLISON VITULLI and
VICTOR VITULLI
1225 Franklin Avenue, Suite 450
Garden City, New York 11530
(516) 880-9700

VERIFICATION

STATE OF NEW YORK)
)ss.:
COUNTY OF *Nassau*)

I, *Allison Vitulli*, being duly sworn, deposes and says:

I am the plaintiff in the within action;

I have read the following SUMMONS AND VERIFIED COMPLAINT and believe the same is to be true to my knowledge; the same is true to my knowledge except as to those matters therein stated to be alleged on information and belief and as to those matters I believe them to be true.

s/ Allison Vitulli

Sworn to before me this *11th*
Day of *Dec.*, 20*20*

Donna M. Parent

DONNA M. PARENT
NOTARY PUBLIC-STATE OF NEW YORK
No. 01PA5008225
Qualified in Suffolk County
My Commission Expires 02-16-2023

Index No:

**SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF NASSAU**

ALLISON VITULLI and VICTOR VITULLI,

Plaintiffs,

-against-

TARGET CORPORATION,

Defendant.

SUMMONS AND VERIFIED COMPLAINT

**DELL & DEAN, PLLC
Attorneys for Plaintiff
1225 Franklin Avenue, Suite 450
Garden City, New York 11530
(516) 880-9700**

Pursuant to 22 NYCRR 130-1.1-a, the undersigned, an attorney admitted to practice in the courts of New York State, certifies that, upon information and belief and reasonable inquiry, (1) the contentions contained in the annexed document are not frivolous and that (2) if the annexed document is an initiating pleading, (i) the matter was not obtained through illegal conduct, or that if it was, the attorney or other persons responsible for the illegal conduct are not participating in the matter or sharing in any fee earned therefrom and that (ii) if the matter involves potential claims for personal injury or wrongful death, the matter was not obtained in violation of 22 NYCRR 1200.41-A.

Dated: 12-11-20

Signature.....
Print: Joseph G. Dell

PLEASE TAKE NOTICE

NOTICE OF Entry That the within is a (certified) true copy of an
Entered in the office of the clerk of the within-named Court on

NOTICE OF SETTLEMENT That an Order of which is a true copy will be presented for settlement to the
Hon. _____, one of the judges of the
within-named Court,
at _____
on _____ 20____, at _____

M.

Dated:

**DELL & DEAN, PLLC
Attorneys for Plaintiff
1225 Franklin Avenue, Suite 450
Garden City, New York 11530
(516) 880-9700**